



Dated: January 17, 2006

SUBMITTED ON BEHALF OF ALL LISTED  
DEFENDANTS BY:

/s/ Toni-Ann Citera

James R. Daly

Tara A. Fumerton

JONES DAY

77 West Wacker Drive

Chicago, Illinois 60601

Telephone: (312) 782-3939

Facsimile: (312) 782-8585

Toni-Ann Citera

JONES DAY

222 East 41st Street

New York, New York 10017

Telephone: (212) 326-8376

Facsimile: (212) 755-7306

**Abbott Laboratories Inc.**

**Armour Pharmaceutical Co.**

**Aventis Pharmaceuticals Inc.**

**B. Braun Medical Inc.**

**Baxter Healthcare Corp.**

**Ben Venue Laboratories, Inc.**

**Boehringer Ingelheim Corp.**

**Bristol-Myers Squibb Company**

**Dey, Inc.**

**Dey, L.P.**

**Immunex Corp.**

**Mylan Laboratories Inc.**

**Mylan Pharmaceuticals Inc.**

**Roxane Laboratories, Inc.**

**Sandoz Inc.**

**Schering-Plough Corp.**

**Warrick Pharmaceuticals Corp.**

**ZLB Behring LLC (f/k/a Aventis Behring LLC)**

**REQUEST FOR ORAL ARGUMENT**

Pursuant to Local Rule 7.1(d), Defendants hereby request a hearing for oral argument on this motion to dismiss.

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

I certify that the moving party has communicated with counsel for Plaintiffs in an effort to resolve the dispute referred to in this motion, and that the parties have not been able to reach agreement with respect thereto.

/s/ Tara A. Fumerton

Tara A. Fumerton

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on January 17, 2006, a copy to Lexis-Nexis for posting and notification to all parties.

/s/ Tara A. Fumerton

Tara A. Fumerton